



Town of Chevy Chase
 4301 Willow Lane
 Chevy Chase, MD 20815

301-654-7144 (phone)
 301-718-9631 (fax)
townoffice@townofchevychase.org

Town Variance No.:

Application for a Variance from the Town of Chevy Chase Building Ordinance

Please ensure that you submit a complete application, as incomplete applications will not be reviewed. If you have any questions about the variance process, please call the Town Office at 301-654-7144.

Street Address: _____ Date: _____

Request For:

- ___ Administrative Variance (See page 3 for applicability)
- ___ Public Hearing (15 days public notification required, usually held on the 2nd Wednesday of each month).

Applicant Information:

Name _____		Phone _____	
Address _____		Cellular Phone _____	
City _____	State _____	Zip _____	E-Mail _____

Describe Variance Request: _____

Submittal Requirements

- ___ Completed Town of Chevy Chase Variance Application.
- ___ Variance Application Fee (\$200 for administrative variances, \$400 for all other variances).
- ___ For all building variance requests, including projections, a boundary survey with a margin of error of one (1) inch or less is required.
- ___ Surveys, plats or other accurate drawings showing boundaries, dimensions, area, topography and frontage of the property involved, as well as the location and dimensions of all structures existing and proposed to be erected, and the distances of such structures from the nearest property lines.
- ___ Plans, architectural drawings, photographs, elevations, specifications or other detailed information depicting fully the exterior appearance of existing and proposed construction involved in the petition.
- ___ All additional exhibits to be introduced at the public hearing.

Affidavit

Unless I am applying for an administrative variance, I hereby understand that I or an authorized representative will appear at the scheduled variance hearing as noted above. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the permit application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature _____ Print Name _____ Date _____

Applicant's Signature (if more than one homeowner) _____ Print Name _____ Date _____

This variance is requested because the property (please check all that apply):

- is exceptionally narrow.
- is exceptionally shallow.
- is unusually shaped.
- has unusual topographical features.
- has other extraordinary situations or conditions.

Please describe the condition(s) checked above:

This variance is requested because conforming to the Town's Building Ordinance would (please check all that apply):

- be impossible.
- be impractical.
- cause peculiar or unusual practical difficulties.
- cause undue hardship.

Please describe the condition(s) checked above:

(You may attach additional pages as needed)

Please explain how the approval of this variance will not be detrimental to the use and enjoyment of neighboring properties: _____

Please explain how the request is the minimum reasonably necessary to overcome the exceptional condition that is causing the hardship claimed: _____

Please explain the reasons why the request does not cause substantial impairment to the intent, purpose and integrity of the general plan of the Town: _____

In granting a variance, the Town Council may require such conditions, in lieu of full compliance, as will, in its judgment, secure substantially the objectives of the requirements so modified and protect the public interest. Any party aggrieved by the decision of the Town Council may appeal within thirty (30) days to the Circuit Court for Montgomery County and thereafter to the appellate courts of this state within the time and manner prescribed within the Maryland Rules of Procedure relating to administrative appeals.

Administrative Variances

The Town Manager and Mayor can grant administrative variances for certain improvements if no written objection is filed during a 15 day public notification period. If an objection to the variance approval is filed, the request will be scheduled for a public hearing of the Town Council. The following improvements may be approved administratively:

- New or relocated front yard retaining walls thirty (30) inches or greater in height, provided they are set back at least two (2) feet from the nearest public sidewalk in the public right-of-way or, if there is no sidewalk, at least six (6) feet from the curb;
- New front yard fences measuring four (4) feet or less in height, having a fenestration of at least thirty (30) percent, not constructed of chain link, and on a corner lot abutting any street or on an interior lot abutting East-West Highway, Connecticut Avenue, or Bradley Lane;
- Walls in a front yard or in a public right-of-way that replace an existing wall provided the replacement wall does not materially alter the location or increase the height or length of the wall;
- Fences in a front yard that replace an existing fence, but are ineligible for replacement due to a decrease in fenestration, provided the replacement fence does not materially alter the location or increase the height or length of the fence and the replacement fence has a fenestration of at least thirty (30) percent; and fences in a public right-of-way, provided the replacement fence does not materially alter the location or increase the height or length of the fence and the replacement fence has a fenestration of at least thirty (30) percent.
- New or relocated retaining walls less than thirty (30) inches in height in a public right-of-way, provided they are set back at least two (2) feet from the nearest public sidewalk in the public right-of-way or, if there is no sidewalk, at least six (6) feet from the curb;
- New or relocated guardrails, provided the guardrail is set back at least two (2) inches from the retaining wall and located along only portions of the retaining wall measuring thirty (30) inches or more in height;
- New or relocated steps, stoops, outside stairways, and their roofing; decks, terraces, porches, and their roofing; chimneys, air conditioners, and heat pumps; and/or oriel entrances, vestibules, and balconies, in a front and/or rear yard;
- New or relocated bay windows in a front and/or rear yard, provided they are no more than one (1) story in height and ten (10) feet or less in width;
- Additional width of six (6) feet or less for a driveway, other than a shared driveway, in a front yard and/or in a public-right-of-way;
- Extension of an existing wall plane (length); or
- Replacement of a structure or portion thereof, provided the location is not changed and no dimension is enlarged.

Please contact the Town Office if you have any questions about the administrative variance process.